



# STATE OF CONNECTICUT

MILITARY DEPARTMENT  
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March 7, 2013

Honorable Carlo Leone, State Senator  
Honorable Jack F. Hennessy, State Representative  
Co-Chairmen, Veterans' Affairs Committee  
Hartford, CT 06106

**SB 930, "AAC Servicemembers Civil Relief Act Proceedings"**

**HB 6457, "AAC the Display of the State or National Flag at Half Staff"**

**HB 6458, "AAC the New England Disaster Training Center Activity Account"**

I write to express the Military Department's support for the above-noted bills. With the continuing reliance upon members of Connecticut's Armed Forces to conduct both federal and state military operations, this legislation is required to facilitate the efficient use of and access to military resources and to ensure effective and honorable services by and to our citizen soldiers and airmen. Connecticut consistently leads the nation in efforts to support our armed forces and to honor our veterans. These bills are prudent measures to ensure Connecticut is still revolutionary in taking the initiative to support our military. I ask the members of the Veterans' Affairs Committee to support the enactment of these bills.

**S.B. 930** provides servicemembers who are unable to participate in family relations matters due to their military service (e.g., out-of-state deployments) the opportunity to participate in proceedings through electronic media. Many servicemembers, when deployed to remote locations, are unable to schedule leave or obtain timely transportation to attend. Servicemembers, under state and federal law (Servicemember's Civil Relief Act), may stay proceedings, delaying civil actions until such time as their military service no longer precludes participation in family court proceedings. Although a stay is a useful mechanism to ensure due process, the delay may cause personal hardship to either or both parties to the action. The option of permitting servicemembers the ability to participate through electronic media not only potentially benefits the parties to the case, but permits courts an option to move a case forward, rather than issuing a stay, which may facilitate prompt disposition when a hearing is required.

Use of electronic testimony is permitted for various purposes in many states (including Connecticut) and federal courtrooms. The Uniform Interstate Family Support Act (UIFSA) provides for parties to "testify by telephone, through audiovisual means or by any other electronic means." The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) permits an individual to be deposed or to testify by telephone, audiovisual means or electronic means. The utility of electronic testimony is recognized and its use is becoming more prevalent.

Although deployed to remote locations, many servicemembers have access to electronic media, including video teleconferencing capabilities, which, if permitted to by the court, could be used to introduce evidence and move civil matters forward. State law should permit the use of modern communication devices to present evidence, upon request of the servicemember and subject to the approval of the presiding judge. This bill facilitates access to the courts by deployed members of our armed forces and allows them to participate in actions involving family matters while deployed to remote locations.

**HB 6457, "AAC the Display of the State or National Flag at Half Staff"** revises section 3-10f of the general statutes to provide the Governor the statutory authority to proclaim the display of the state or national flag at half staff. Current statute is limited, providing authority for the display of the national flag at half staff only for a period following the line-of-duty death of a member of the armed forces. This


revision expands the statutory authority of the Governor to proclaim the display of either the state or national flag at half staff. This expanded authority provides flexibility to our commander in chief. Federal law (the Flag Code) permits governors to lower the national flag to half staff for certain purposes. Whenever the governor utilizes his federal authority to display the national flag at half staff, all other flags, by operation of law and tradition, must be displayed at a lower height than the national flag (at half staff as well). The governor should have the authority to lower the state flag for certain purposes, including the death of certain state luminaries, which would not cause the national flag to be half-staffed. This bill provides the governor the necessary and proper flexibility to render appropriate honors to Connecticut citizens while ensuring time-honored traditions and proper flag etiquette.

**HB 6458, "AAC the New England Disaster Training Center Activity Account"** establishes a Military Department account in the General Fund for the purpose of operating the New England Disaster Training Center (NEDTC). NEDTC was established in 2008 when Connecticut received \$8 million in federal funding to develop a facility for providing disaster-response training. It houses the Ottilie W. Lundgren Memorial Field Hospital, a 100-bed mobile field hospital, which assembles in hours and can be ready to triage and treat hundreds of patients during a public health emergency. NEDTC provides civilian and military participants the opportunity to learn, practice and integrate rescue, clinical, logistical and leadership skills to strengthen both individual and team capabilities in support of disaster response. Training conducted includes instruction on austere medical environment, urban search and rescue (USAR), canine search, trench rescue, confined space, rail car rescue and incident command system. Over the past two years NEDTC has supported training for Health and Human Service's National Disaster Medical System, CT-1 Disaster Medical Assistant Team (DMAT), TF-1 (CT USAR), Conn. Fire Academy, civilian and military canine search, National Guard Civil Support Team, Hartford Hospital emergency responder training, Yale New Haven Health medical personnel austere training.

Due to the nature of the funds used to facilitate NEDTC's diverse training activities, a non-lapsing military account is necessary. NEDTC may receive federal funds for providing training to federal personnel, including federal grants from the Department of Public Health. The federal government requires states to account for these funds, which are received throughout the federal fiscal year and disbursed based upon the operational needs of NEDTC to execute the training. NEDTC requires the ability to hold the funds, whether grants or tuition, across fiscal years for the execution of a scheduled courses or during the period of enrollment. Many federal personnel or agencies pay for such training (e.g. tuition) directly by use of a government credit card. In essence, NEDTC requires the flexibility to operate as a training institute and to issue payments from received funds on an ongoing basis, specific to scheduled training events. A non-lapsing account provides the mechanism to simultaneously receive and disburse funds, based on the training conducted, while being subject to state and federal auditing.

On behalf of Connecticut's nearly 5,000 citizen soldiers and airmen, their families and our veterans, I ask the Veterans' Affairs Committee to take favorable action on these bills and to work for their passage into law during this legislative session. I also request your favorable consideration and passage of two other bills still before the committee, SB 835, "AAC Military Leave from Employment" and SB836, "AAC Military Recruiter Access to Military Records," which are important for the efficient operation of the Connecticut Military Department.

Sincerely,

  
THADDEUS J. MARTIN  
Major General  
The Adjutant General

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Governor's Office